



## Alpine County Unified School District

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**James W. Parsons, Ed.D., District Superintendent**

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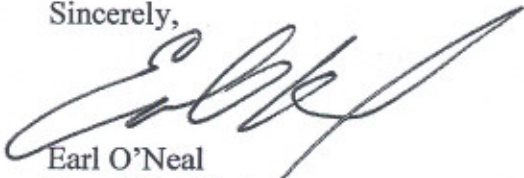
November 15, 2006

Superior Court Judge David L. DeVore  
Presiding Judge  
Alpine County Superior Court  
PO Box 518  
Markleeville, CA 96120

Dear Judge DeVore:

The Alpine County Unified School District Board of Trustees and the Superintendent of Schools have received and considered the 2006 Grand Jury Report and are responding as requested per your memorandum dated October 31, 2006. We look forward to working with you in the future if you deem it necessary.

Sincerely,



Earl O'Neal  
Board President  
Alpine County Unified School District  
Board of Trustees

cc: Alpine County Board of Supervisors  
Eric Jung, Chairman, Alpine County Grant Jury

EO:tap

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ALPINE COUNTY UNIFIED SCHOOL DISTRICT  
ALPINE COUNTY SUPERINTENDENT OF SCHOOLS

RESPONSE TO 2005-2006 GRAND JURY REPORT

Recommendations:

- 1: The recommendation has not been implemented but will be implemented in the future upon the identification of those areas the Grand Jury wishes to be addressed. It is important to understand that FCMAT teams are put together based on the fiscal/management areas to be addressed. The district must, therefore, receive from the Grand Jury a list of those areas to be addressed so that this can be included with the request to FCMAT. When the issues to be considered are submitted then the ACUSD Board will make a request for intervention by FCMAT. (Update: The Grand Jury's request for the items that they would like to have FCMAT review has been received; currently staff is in the process of contacting FCMAT to send a team for that review.)
- 3: The recommendation has been implemented. The ACUSD Board meetings are in fact run by the board president. The possible confusion may stem from the reporting activities of the staff, including the Superintendent. Reporting to the Board, so that the Board can make an informed decision, constitutes most of the time at a Board meeting. Just because the staff or Superintendent speaks a great deal at a meeting does not mean that they are "running" the meeting. The videotaped meeting reviewed by the Grand Jury was not a typical meeting, and many technical questions were raised that had to be referred to staff or legal counsel. Ongoing legal issues and certificated negotiations also prevented the Board from responding as freely as they might have wished.
- 4: The ACUSD Board appreciates the Grand Jury comments concerning public accusations based on no evidence and the negative impact these have on the schools and the community. Indeed, the school district was forced to spend over \$100,000 from one-time contingency funds combating these allegations. The public should, however, also understand that the allegations made and the way in which they were made (even the complaint to the Grand Jury) are all typical



tactics used by unions and employees with private agendas. These tactics have been the subject of numerous workshops and trainings attended by local board members and school administrators.

5: The recommendation has been implemented. The ACUSD Board has, in addition to regular meetings, held an annual workshop during which the goals of the district have been discussed. In eighteen years, only a few community or staff members (less than six in eighteen years) have ever attended the annual workshop. The Board has also held several budget workshops in every community in the county. Budget meetings in times of crisis have only been attended by a handful of people. In the last few months, only one community member has attended a regular meeting. Before that, attendance has usually been dictated by whether or not someone has an issue on the agenda. (During the school year the Teachers' Union usually has a representative at the board meetings, but not consistently.) This lack of community attendance is unfortunate because the community is then open to believing anything they are told as to what may have happened at a board meeting, even when it is untrue.

The Board has also supported the Interest Based Bargaining format for negotiations. Although more work, this format provided an ongoing format in which to deal with district issues and keep employees informed about issues that impact all employees. The teachers currently refuse to use this format, and the district has no legal choice but to utilize the traditional union negotiation model desired by the teachers. This model limits or prohibits discussion with any teacher if it is a potential bargaining issue. The District is required by law to deal only with the union leadership, and these people then interpret those communications with the rest of the teachers. The district is even limited in what it can put in a newsletter to the public. The Board is, however, currently investigating the best way to inexpensively publish a regular newsletter.

As to reaching out to employees, the Board hosts a back to school luncheon each year, and board members attend to mix informally with the staff. Board members are available at school functions to both staff and community. The Board has, at their own expense, provided a

small Christmas gift each year for all staff. In addition, the Board sponsors a staff appreciation day each spring, including a more substantial gift. The Board also awards a special Board Appreciation Award to staff and community members several times a year. In turn, the staff frequently voices appreciation for Board and Administration support. Still more could probably always be done in this area, and a social gathering like a bar-b-que might be helpful.

The Grand Jury's suggestion about a handout explaining Board meeting procedures and outlining how to participate effectively in meetings is a good one, and such a handout has been available at every Board meeting for at least the last eighteen years. (Copy attached)

The ACUSD Board believes that it is important for the community to understand that all district decisions are made with the well-being of the children of the community as the primary motivating factor. When staff members are laid off or disciplined this can cause hard feelings that are then interpreted according to individual opinion and shared with community friends and family who do not have all of the facts. Indeed, sometimes the law prevents the sharing of all the facts with anyone but the staff member involved. If those who feel unfairly treated then wish to organize a community mailing or pack a board meeting or file a complaint with the Grand Jury, then the publicly perceived truth may be far from the actual truth. In order for the community to be truly informed, they can attend board meetings and hear the discussion about issues over a period of time before a final vote is taken at a single meeting. The public can call the district office to receive information or to ask questions about the issues. Then the public can make informed decisions about the issues without depending solely upon "community letters" and "union flyers." The ACUSD Board will remain available to receive concerns or hear public suggestions. The community does, however, also have a responsibility to stay intelligently informed about both the issues and the process.



## Consent Agenda

Under the consent agenda, a recommended course of action for each may be made. Any board member may pull an item from the consent agenda for further consideration. The Board can then approve the remainder of the consent agenda. The consent agenda allows for expedient action by the Board on more routine items.

## Regular and Special Meetings

These meetings are open to the public with notice of such meetings being posted in 72 hours in advance for regular meetings and 24 hours for special meetings. Some of the board meetings are held through teleconferencing at two different sites, such as Bear Valley Elementary and The Learning Center.

## Closed Sessions

These are closed to the public and may be used for discussion of personnel, negotiations, students, and consultation with legal counsel.

## Method of Addressing the Board

### A. Advance Written Request

A person who wishes to place an item on the agenda for consideration by the Board should make his/her request in writing to the Superintendent's Office or the Board President eight (8) days prior to the Board meeting. The Board may not take action on an item unless it appears on the agenda.

### B. Request During Meeting

If no advance request has been made, a person who wishes to address the Board of Trustees or the Board of Education still may do so. The person should seek to be recognized at that point on the agenda established for "Hearing of the Public." The person should first be recognized by the Chair, then state his/her name and the subject of his/her remarks.

### C. Time in the Meeting When Speakers will be Heard

Those who have made prior written requests will be recognized at the time assigned by the agenda. If a visitor desires to speak on a subject currently being considered by the Board, he/she should seek recognition from the Chair in order to make his/her presentation to the Board prior to the Board taking action on the agenda.

### D. Time Limit for Speakers

No person should speak for more than five (5) minutes unless the time limit is waived by a majority of the board members present. The Board may, when a large number of speakers are to be heard, shorten the time.

### E. Giving Name

Presentations may be written into the minutes; therefore, speakers should announce their names as they speak.

### F. Questions and Comments by the Board and Superintendent

Members of the Board and the Superintendent may ask questions of a speaker or make comments in response to a speaker's remarks.

### G. Conduct and Remarks Out of Order

Undue interruption or other interference with the orderly conduct of the Board's business cannot be allowed. Defamatory or abusive remarks are always out of order. The Chair may terminate the speaker's privilege of address if, after being called to order, he/she persists in improper conduct or remarks. The chair may also clear the boardroom if necessary to complete the meeting in an orderly fashion.

### H. Certain Remarks Out of Order

Remarks by any person addressing the Board which defame the political, religious or economic views, character, or motives of any person are out of order. The chair shall so advise and terminate the privilege of address if there is persistence.